

SHE PAYS BACK

MRS. PAYTON BEATS HER ASSAILANT'S HEAD WITH AN AXE

STOPS TWO BULLETS

FORMER LANDLORD DOES THE SHOOTING WHILE DRUNK

BOTH WILL DIE OF THEIR WOUNDS

MRS. PAYTON'S WOULD-BE RESCUER SHOT BUT NOT FATAU

Both Families Prominent in the Community and the Dead Entirely Unprovoked—Story of the Crime.

Atchison, Feb. 5.—Jim Nutt, made famous for killing Lawyer W. W. Duke in Uniontown, Pa., over a decade ago because he seduced Miss Nutt, is dying from wounds inflicted early this morning by Mrs. John Payton, who committed the act after Nutt, in drunken rage had fatally shot her. Neither Nutt nor Payton are expected to live. Leonard Coleman, a hired man who attempted to save Mrs. Payton's life, was seriously wounded having received a bullet from Nutt's revolver, but will recover. The crime was most horrible and unprovoked. The prominence of the families concerned makes it most sensational.

The Nutts and Dukes were at one time prominent politicians in Pennsylvania, while Coleman, who is 27 years old, is a prominent lawyer in Uniontown, Pa. Nutt, before he had seduced Miss Nutt, was at war with a good deal of the community. He was a gambler and during one of several encounters Duke killed his father. He was acquitted, however, making the Nutts and Dukes enemies. When young Nutt came to trial he was also promptly acquitted, the trial creating a great sensation at the time.

Shortly afterwards he moved to Kansas, to near where his present farm is situated, and managed his mother's place. He was considered a good citizen and became prosperous. Two years ago the Paytons worked for Nutt, living on his farm. Their relations were strained, however, and the Paytons left the farm. Coleman and five children, rented a farm Mrs. A. E. Bradbury.

Payton has been away from home most of the winter cutting ice during which time Nutt renewed his relations with the family. Nothing out of the way was discernible in his conduct, however, until last night when he sauntered into the Payton household and at a late hour under the influence of liquor, Payton was absent and Coleman the hired man, who was the only other man on the place, Nutt who had been on a week's spree, was in no pleasant mood and gruffly ordered Mrs. Payton to get him some supper. Mrs. Payton complied, though more through fear than because she cared to, and scolding trouble, she got the children to bed.

As he ate, Nutt became more abusive toward Mrs. Payton and seemed to be turning mad. When he finished eating he deliberately picked up his revolver, and pointing it at the now thoroughly frightened woman cried: "I'm going to kill you." Before she could make a move to flee he snatched the axe and sent three bullets into her body.

SHE SMASHED HIS HEAD.

The shots attracted Coleman, who rushed into the room and saw Nutt leveled his weapon at him and fired. Two shots struck the would-be rescuer in the head and chest, but he was unconscious in the blood that poured from his wounds.

In the meantime Mrs. Payton, with a superhuman effort, had raised herself from the floor and secured the axe. Nutt had become weakened now and literally sank in his tracks. Rushing toward her, Coleman, her wounds bleeding profusely and her head bleeding from the loss of blood, rushed toward her and blew Nutt's head. Nutt, until her victim's head was a mass of jelly and the two men lay dead, she sank to the floor and went into a state of unconsciousness that lasted several hours. When Coleman was revived, he found the slaying he found both Nutt and Mrs. Payton lying in great pools of blood. Tying Nutt to a chair he escaped, but the robbers were not far off. When assistance came, the woman was beyond help. As soon as Nutt's wounds were dressed he was removed to Atchison, where he is now lying. Coleman was shot in the head and chest, but he is recovering and is expected to live.

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TOOK UP A COLLECTION.

Robbery on the Santa Fe Conducted with Dragon-Like Gravity.

Hutchinson, Kan., Feb. 5.—Santa Fe train No. 1, which leaves this night at 10:15 p. m., was held up last night by thirty men near Santa Fe, about thirty miles west of here. The train pulled out of Santa Fe two men boarded the engine, and when a short distance had been made, compelled the train to stop. The robbers then proceeded to the express car and demanded admission. Upon being refused they broke down the door and went in. The messenger refused to open the safe, but the express company sustained but a trifling loss. At the point of revolvers the express messenger was compelled to carry a sack through the coaches and sleepers while the robbers made the passengers disgorge everything of value about their persons. It is impossible to estimate the loss sustained by the people on the train, but as this train is the through California express, the character of the passengers would indicate that the robbers had a very good haul.

The robbers were four in number. They were very deliberate in their movements as the train was held about an hour. There was no shooting and the whole affair was conducted as quiet as a respectable funeral, consequently no one was hurt.

ANOTHER COUNTDOWN.

Stafford, Feb. 5.—(Special.)—Passenger train No. 1, west bound California express was held up at Santa Fe last night at about 11:30 by a band of five men. They climbed on the locomotive at the coal chute while the train was being loaded and rode to about a half mile west of town where they compelled the engineer to stop the train. Engineer and firemen were both pressed into service in helping to open the express car. As it happened they opened the wrong

ROBBED FROM THE INSIDE.

How the Directors of a Suspended Bank Stood Under.

San Francisco, Feb. 5.—In the trial today of R. H. McDonald, Jr., of the late Columbia Waterhouse, a former director, admitted on the witness stand that on the night before the bank closed its doors, he and the directors had decided on its suspension. He (Waterhouse) withdrew \$2,000 which he had on deposit, moving the coin at a late hour and depositing it in a safe at the home of his wife, Mrs. McDonald. McDonald, formerly accountant of the Pacific bank, testified that he had made out three deposit tickets, each for \$100,000, in favor of R. H. McDonald, Jr., and Dr. R. H. McDonald, Jr., but he could not remember whether the defendant or his brother had ordered the tags.

LAPPING OFF FEES.

Eckstein Introduces a Bill to Out Sheriffs' Incomes.

In the Larger and More Populous Counties, Including Sedgewick, It Is His Opinion That the Sheriff's Salary Is Too Much of a Snap and He Wants to Chop Off About Half of the Present Revenues—Resolution Also Introduced to Prevent Jurorists from Securing Government Liquor Licenses.

Topeka, Feb. 5.—(Special.)—Mr. Eckstein of Wichita, is getting after high salaries of sheriffs. The measure he introduced an act entitled "An act fixing the fees of sheriffs in counties having a population of not less than forty thousand people or not more than forty-seven thousand people under the census of 1890. This act takes in Sedgewick as well as two or three other counties. The act reduces the fees of the sheriffs in these counties about one-half, and the indications are that the bill will pass, as it is said that a majority of the committee will report it back favorably.

ANOTHER PROHIBITION SCHEME.

A concurrent resolution passed the senate and was sent to the house to-day, instructing the senators and representatives in congress to vote for a bill prohibiting the collection of internal revenue from issuing government licenses to liquor dealers who have taken proper legal permit to deal in said liquors. The subject of the resolution is to prevent the joints in this state from procuring government licenses.

BOTH STAYED ON THE TRACK.

Kansas City, Feb. 5.—Two heavy loaded cars collided high up in the air on the Kansas City and St. Louis railway structure in Kansas City today. The cars were going at full speed and while the force of the collision was so great that the fronts were demolished and the west bound car went off the structure. Forty passengers were aboard the two cars. Singularly enough there was no loss of life and the only serious injury was to the two motormen.

BILLY UNFOLDS A TALE.

Killed Catharine Gling, but Has a Home in Heaven All the Same.

Minneapolis, Minn., Feb. 5.—Claus A. Blixt, the actual murderer of Miss Gling, was today being tried in the Hayward trial today. He related a conversation with Hayward bearing on money Hayward had loaned Miss Gling, saying that he had witnessed the note given by Miss Gling to Hayward. The note was dated Nov. 24, ninety days before the murder. In the basement of Ozark flats Hayward told Blixt that he had not given her \$7,000, but only \$2,000. "I'm going to kill her," said Blixt. "I am going to take her money and her life." Hayward showed her the money and told her how careless she had been, and that she should be more careful. Blixt related how Hayward had planned in various ways to murder Miss Gling. One plan was to take her out in a buggy, have her get out after some of the money, and then shoot her. Another scheme was that he (Hayward) would hit her on the head with a piece of iron and start the belief that she had been struck and killed. Another scheme was that he (Hayward) would hit her on the head with a piece of iron and start the belief that she had been struck and killed. Another scheme was that he (Hayward) would hit her on the head with a piece of iron and start the belief that she had been struck and killed.

WARDEN'S MATTER IS DELAYED.

Appointment Will Not Be Made Until Chase Is Investigated and Passed Upon.

Topeka, Kan., Feb. 5.—(Special.)—Wellington set up a big delegation yesterday to present the claims of Orle M. Chase for the position of warden of the state penitentiary. The delegation consists of Major Ferguson, C. A. Burnett, William H. Carnes, J. M. A. Richards, C. E. McDonald, William H. Bern, W. Schwinn, Charles Sadler, W. J. Newbold, James Lawrence, J. D. Simpson, S. S. Woodcock, T. E. Hunter, J. H. Hubby, Major J. W. Forney and others. The committee had a conference with Governor Morrill and they presented a list of endorsements and the finest presented to the governor by any candidate for the place. The friends of Mr. Morse are well pleased with the result. The appointment will not be made for the present nor will it be till the charges made against the incumbent, incumbent, are cleared up. The other strong candidates for the position are Bruce Lynch of Chanute and ex-Warden Chase.

IN THE GROUND HOG'S FAVOR.

Fool Legislature Wants the Second of February to be a Legal Holiday.

Topeka, Kan., Feb. 5.—(Special.)—Senator Rodgers received yesterday from Washington a copy of a resolution which he introduced today in the senate. It concerned the ground hog and is as follows:

Resolved, That on each recurring second day of February many angry and seemingly warring and disputes arise among the people and especially among the farmers concerning ground hog day.

Whereas, This endangers the peace and good order of the state and demoralizes the ground hog, and hence resolves that the legislature enact a law defining the day of the ground hog, and making it a legal holiday for the ground hog.

FISTS COMING INTO PLAY.

Pugilistic Fever Breaking Out in the Kansas Legislature.

Topeka, Kan., Feb. 5.—(Special.)—The house of representatives last night elected a committee to investigate the case of a man named Arthur Clark, formerly a Wichita Post statesman, and after hearing his case, the committee reported that he was a good man and that he should be reinstated in his position. The committee also reported that the man was a good man and that he should be reinstated in his position.

IMPORTANT BILLS ARE PASSED.

Among Them is the One Establishing the Appellate Court Which Holds Here.

Topeka, Kan., Feb. 5.—(Special.)—In the senate today the following bills were passed:

An act to amend sections 1, 2 and 10 of an act entitled "An act regulating the fees and salaries and prescribing certain duties of the county officers of Osage county, Kansas," and being chapter 88 of the laws of 1892.

An act concerning appellate courts, defining their jurisdiction and the proceedings therein.

An act vacating certain lots and additions in the city of Wichita, Sedgewick county, Kansas.

An act concerning the state treasury and the unexpended balance of the cholera fund provided by section 1, chapter 33 of the session laws of 1892, and repealing all that portion of section 1, chapter 33, of the session laws of 1892, setting apart ten thousand dollars (\$10,000) for expenditure by the state board of health in case of an invasion of cholera into this state.

An act providing for railroad passes to shippers of stock, fruit, and vegetables, under certain conditions.

NEW NATIONAL PARK WANTED.

To That End the Co-Operation of Ex-Confederates Is Invited.

Washington, Feb. 5.—At the regular meeting of Encampment No. 38, United Veterans Legion, last night a resolution was adopted looking to close relationship with the Confederate veterans. The resolution says that in order to "perpetrate the great principles of our order, fraternity, charity and patriotism," Encampment No. 38 extends the hand of fellowship to R. E. Lee Camp No. 1, of Confederate Veterans and to all Confederate veterans everywhere and asks the co-operation of confederates looking to the obtaining of an appropriation for a national park at Appomattox.

HE IS COAXING WAR.

JUDGE PITZER POKES A STICK INTO A HORNET'S NEST.

Introduces a Bill in the Oklahoma Legislature for the Removal of the Agricultural College from Stillwater on the East Side to El Reno on the West—Top Member Awakes from a Deep Sleep and Dashes Into History with Red Hot Resolutions Asking for a Reduction of Cleveland's Salary.

Guthrie, O. T., Feb. 5.—(Special.)—It seems that the agricultural college is bound to center all its energies in Oklahoma about itself this year.

On top of the charges of mismanagement, now comes President Pitzer and introduces a bill in the council for the removal of the agricultural college from Stillwater to El Reno. Pitzer did this, this morning and the air has been decidedly heavy ever since. The Stillwater people have their armor on, and intend to fight. Pitzer is also in earnest and the old "east" and "west" side fight is coming to the top.

That the laws of nature are more potent than the laws of man was forced upon the members of the house, by the stovetop smoking to such an extent that it spoiled the greater part of the morning. The legislators' time, eloquence and laws went "into smoke" "up a flue," so to speak.

FIRE BY THE SMOKE.

On account of this disturbance there was virtually no business done. The break to serious business, however, came in the afternoon when Judge Pitzer has already been noted as the witliest and most humorous man by the fact of his sublime silence. He sat there, motionless, and the members of the session concluded he could best serve his constituency and the country at large by sleep, "sweet balmy sleep."

All serious business, however, never, he seems to be unfathomable and deep. He does not hibernate for nothing, as he showed by two resolutions introduced by him this morning. In a first resolution he asked for a reduction of the salary of the governor, and in the second resolution he asked for a reduction of the salary of the governor.

AS TO GROUND-HOGS.

Joint memorial No. 12, To the Congress of the United States:

Whereas, The "Pops" of Oklahoma are in great and crying need of more time in which to absorb much needed education upon fact money issues, sub-treasury plans, government ownership of railroads, office and how to get it.

Whereas, The existence of the government of the United States is in great and immediate danger, and dire disaster threatens by reason of the opportunities for the Pops to properly formulate their ideas, therefore, be it

Resolved, That it is the sense of the Third legislative assembly that a national necessity demands another holiday for educational purposes and that the second of February, the ground-hog day, should be created a national holiday.

By M. P. McCoy, Seventeenth district.

By request of Posten, Eighteenth district.

This is not all, but the following timely advice is given congress among other things, "that the salary of the president's salary be cut down from \$50,000, and all other public officers salaries, civil, and military at least one-third."

ROASTING GROVER CLEVELAND.

"We would remind you that the great multitude of the common people are getting tired of your incapacity, incompetence and dishonest conduct, and if you insist on doing nothing for the good of the people, then throw your well paid job."

"No," don't forget to reduce your own and Cleveland's fat salaries, and by so doing, those who bear at least a portion of the burdens brought forth by your incapacity, incompetence and dishonest conduct, and if you insist on doing nothing for the good of the people, then throw your well paid job."

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DIED WHILE DICTATING LETTERS.

Kansas City, Feb. 5.—A special from Lawrence, Kansas, says: Judge J. M. Hendy, one of the early settlers of Lawrence, died last night at his home while sitting in his chair at home dictating letters to his stenographer.

GONE INTO VOLUNTARY LIQUIDATION.

Topeka, Kan., Feb. 5.—The Merchant's bank at Goodland has gone into voluntary liquidation, as announced by the state bank commissioner. Depositors will be paid in full.

BURNED OUT AT WAKEENEE.

Ellis, Kan., Feb. 5.—At 4 o'clock this morning a fire broke out in the opera house block at Wakeeney. The building, worth \$10,000, is a total loss and several stocks of merchandise therein were destroyed. The fire started on the second floor and spread rapidly. No insurance on the building. The stock was insured for \$5,000. The origin of the fire is unknown.

LAW MAKING IN MISSOURI.

Among Others a Bill to Place Convicts on the Public Roads.

Kansas City, Feb. 5.—A special from Jefferson City says: The committee on roads and highways has decided to report a bill providing for the working of convicts on public roads. The bill provides that the governor shall have the power to employ convicts on public roads. The bill also provides that the governor shall have the power to employ convicts on public roads.

HE HAS TO EXPLAIN.

Mr. Lowrey having had no intention of hurting anyone's feelings or accusing anyone of not being either brave or loyal, he had to answer Mr. Hogan, who he had a fatherly love on a battle field in Georgia and no man had a greater regard for the old soldier. He could never see the old flag carried down a street to the tune of "Yankee Doodle" but tears came to his eyes. It was this spirit perhaps that made him urge warmly the passage of a bill for the simple fact of seeing the old flag march down the street accompanied with military music; this he desired to say in answer to a lot of patriotic speeches. St. John said he was against all military organizations. They did no good. The citizens of this country could do as they pleased upon to put down any incipient rebellion.

ATTACKS THE DUDELETS.

Mr. Little thought he came from a brave stock as was ever born; but he did not think that a lot of dudes

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The speaker opened the returns from the counties in alphabetical order, hand ed them consecutively to the tellers, who examined them, as did the attorney for the claimants, and then the speaker read the returns and called for objections, if any. The returns from sixty-seven counties were thus opened and all of them were true. The returns objected to were not counted and were placed in the custody of the speaker of the senate. Returns from twenty-nine counties remain to be opened when the joint convention meets tomorrow.

After all the returns are opened the pleadings will be made up and an investigation committee appointed.

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